

1 by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121,  
2 excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
3 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,  
4 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336,  
5 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, and as indirectly affected in the  
6 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
7 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
8 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
9 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
10 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
11 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
12 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
13 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
14 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
15 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
16 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.  
17 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
18 section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173,  
19 P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
20 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
21 and 910 of P.L. 108–357, and P.L. 108–375, except that property that, under s. 71.02  
22 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986  
23 under the Internal Revenue Code as amended to December 31, 1980, shall continue  
24 to be depreciated under the Internal Revenue Code as amended to  
25 December 31, 1980, and except that the appropriate amount shall be added or

1       subtracted to reflect differences between the depreciation or adjusted basis for  
2       federal income tax purposes and the depreciation or adjusted basis under this  
3       chapter of any property disposed of during the taxable year. The Internal Revenue  
4       Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
5       102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
6       sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,  
7       sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and  
8       section 101 of P.L. 107–147, and as amended by P.L. 108–27, excluding sections 106,  
9       201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
10      108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L.  
11      108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.  
12      108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
13      and P.L. 108–375, and as indirectly affected in the provisions applicable to this  
14      subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
15      P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
16      and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
17      13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
18      103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
19      (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
20      105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
21      106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
22      P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
23      107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L.  
24      107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding  
25      sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.

1       108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
2       108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
3       108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
4       P.L. 108–357, and P.L. 108–375, applies for Wisconsin purposes at the same time as  
5       for federal purposes. Amendments to the Internal Revenue Code enacted after  
6       December 31, 2002, do not apply to this subdivision with respect to taxable years that  
7       begin after December 31, 2002, and before January 1, 2004, except that changes to  
8       the Internal Revenue Code made by P.L. 108–27, excluding sections 106, 201, and  
9       202 of PL. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,  
10      excluding section 1201 of PL. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
11      excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
12      excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L.  
13      108–375, and changes that indirectly affect the provisions applicable to this  
14      subchapter made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27,  
15      P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section  
16      1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections  
17      306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101,  
18      201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, apply for  
19      Wisconsin purposes at the same time as for federal purposes.

20      \*-0302/4.43\* **SECTION 1362.** 71.26 (2) (b) 17. of the statutes is created to read:

21      71.26 (2) (b) 17. For taxable years that begin after December 31, 2003, and  
22      before January 1, 2005, for a corporation, conduit, or common law trust which  
23      qualifies as a regulated investment company, real estate mortgage investment  
24      conduit, real estate investment trust, or financial asset securitization investment  
25      trust under the Internal Revenue Code as amended to December 31, 2003, excluding

1 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
2 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
3 1605 (d) of P.L. 104–188, P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
4 106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201,  
5 and 202 of P.L. 108–27, section 109 of P.L. 108–121, and section 1201 of P.L. 108–173,  
6 and as amended by P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,  
7 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201,  
8 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as  
9 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
10 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
11 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
12 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
13 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
14 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
15 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
16 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
17 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
18 excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
19 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
20 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
21 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding  
22 section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding  
23 sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding  
24 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L.  
25 108–476, “net income” means the federal regulated investment company taxable

1 income, federal real estate mortgage investment conduit taxable income, federal real  
2 estate investment trust or financial asset securitization investment trust taxable  
3 income of the corporation, conduit, or trust as determined under the Internal  
4 Revenue Code as amended to December 31, 2003, excluding sections 103, 104, and  
5 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
6 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
7 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.  
8 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section  
9 109 of P.L. 108–121, and section 1201 of P.L. 108–173, and as amended by P.L.  
10 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
11 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
12 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as indirectly affected in the  
13 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
14 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
15 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
16 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
17 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
18 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
19 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
20 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
21 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
22 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
23 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
24 excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section  
25 109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.

1       108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
2       (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
3       910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, except that property that, under  
4       s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years  
5       1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980,  
6       shall continue to be depreciated under the Internal Revenue Code as amended to  
7       December 31, 1980, and except that the appropriate amount shall be added or  
8       subtracted to reflect differences between the depreciation or adjusted basis for  
9       federal income tax purposes and the depreciation or adjusted basis under this  
10      chapter of any property disposed of during the taxable year. The Internal Revenue  
11      Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.  
12      102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
13      sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,  
14      sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section  
15      101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 109 of P.L.  
16      108–121, and section 1201 of P.L. 108–173, and as amended by P.L. 108–203, P.L.  
17      108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
18      108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
19      P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as indirectly affected in the  
20      provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
21      P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
22      excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
23      103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
24      103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
25      excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.

1       104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
2       105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
3       162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
4       107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
5       of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
6       excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section  
7       109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
8       108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
9       (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
10      910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, applies for Wisconsin purposes  
11      at the same time as for federal purposes. Amendments to the Internal Revenue Code  
12      enacted after December 31, 2003, do not apply to this subdivision with respect to  
13      taxable years that begin after December 31, 2003, and before January 1, 2005,  
14      except that changes to the Internal Revenue Code made by P.L. 108–203, P.L.  
15      108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
16      108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
17      P.L. 108–357, P.L. 108–375, and P.L. 108–476, and changes that indirectly affect the  
18      provisions applicable to this subchapter made by P.L. 108–203, P.L. 108–218, P.L.  
19      108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.  
20      108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
21      P.L. 108–375, and P.L. 108–476, apply for Wisconsin purposes at the same time as  
22      for federal purposes.

23           **\*–0302/4.44\* SECTION 1363.** 71.26 (2) (b) 18. of the statutes is created to read:

24           71.26 (2) (b) 18. For taxable years that begin after December 31, 2004, for a  
25      corporation, conduit, or common law trust which qualifies as a regulated investment

1 company, real estate mortgage investment conduit, real estate investment trust, or  
2 financial asset securitization investment trust under the Internal Revenue Code as  
3 amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102–227,  
4 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections  
5 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and  
6 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of  
7 P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27,  
8 section 1201 of P.L. 108–173, sections 306, 308, 401, and 403 (a) of P.L. 108–311, and  
9 sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly  
10 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,  
11 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,  
12 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
13 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
14 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.  
15 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
16 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
17 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
18 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
19 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
20 excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
21 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
22 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
23 108–218, P.L. 108–311, excluding sections 306, 308, 401, and 403 (a) of P.L. 108–311,  
24 P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.  
25 108–357, P.L. 108–375, and P.L. 108–476, “net income” means the federal regulated

1 investment company taxable income, federal real estate mortgage investment  
2 conduit taxable income, federal real estate investment trust or financial asset  
3 securitization investment trust taxable income of the corporation, conduit, or trust  
4 as determined under the Internal Revenue Code as amended to December 31, 2004,  
5 excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171  
6 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
7 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165  
8 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147,  
9 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
10 308, 401, and 403 (a) of P.L. 108–311, and sections 101, 201, 244, 336, 337, 909, and  
11 910 of P.L. 108–357, and as indirectly affected in the provisions applicable to this  
12 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,  
13 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
14 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
16 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
17 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
18 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
19 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
20 P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
21 107–116, P.L. 107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L.  
22 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections  
23 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201  
24 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,  
25 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244,

1       336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, except that  
2       property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated  
3       for taxable years 1983 to 1986 under the Internal Revenue Code as amended to  
4       December 31, 1980, shall continue to be depreciated under the Internal Revenue  
5       Code as amended to December 31, 1980, and except that the appropriate amount  
6       shall be added or subtracted to reflect differences between the depreciation or  
7       adjusted basis for federal income tax purposes and the depreciation or adjusted basis  
8       under this chapter of any property disposed of during the taxable year. The Internal  
9       Revenue Code as amended to December 31, 2004, excluding sections 103, 104, and  
10      110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11      103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
12      sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
13      106–573, section 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201,  
14      and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 401, and 403  
15      (a) of P.L. 108–311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
16      and as indirectly affected in the provisions applicable to this subchapter by P.L.  
17      99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
18      101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
19      102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
20      (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
21      103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
22      1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
23      105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
24      106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,  
25      P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.

1       107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L.  
2       107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and  
3       202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.  
4       108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 308, 401,  
5       and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337,  
6       909, and 910 of P.L. 108-357, P.L. 108-375, and P.L. 108-476, applies for Wisconsin  
7       purposes at the same time as for federal purposes. Amendments to the Internal  
8       Revenue Code enacted after December 31, 2004, do not apply to this subdivision with  
9       respect to taxable years that begin after December 31, 2004.

10      \*-0402/5.4\* **SECTION 1365.** 71.28 (1di) (b) 1. of the statutes is repealed.

11      \*-0402/7.6\***SECTION 1366.** 71.28 (1dL) (c) 1. of the statutes is repealed.

12      \*-0402/8\***SECTION 1367.** 71.28 (1dL) (c) 2. of the statutes is renumbered 71.28  
13      (1dL) (c).

14      \*-0402/8\***SECTION 1368.** 71.28 (1dL) (d) of the statutes is amended to read:

15      71.28 (1dL) (d) Except as provided in par. (c) 2., the carry-over provisions of  
16      sub. (4) (e) and (f) as they relate to the credit under that subsection relate to the credit  
17      under this subsection and apply as if the development zone continued to exist.

18      \*-0402/5.5\* **SECTION 1369.** 71.28 (1dm) (hm) of the statutes is amended to  
19      read:

20      71.28 (1dm) (hm) Credits claimed A claimant may claim the credit under this  
21      subsection, including any credits carried over, may be offset only against the amount  
22      of the tax otherwise due under this subchapter attributable to income from the  
23      business operations of the claimant in the development zone; except that a claimant  
24      in a development zone under s. 560.795 (1) (e) may offset credits, including any  
25      credits carried over, against the amount of the tax otherwise due under this

1       subchapter attributable to all of the claimant's income; and against the tax  
2       attributable to income from directly related business operations of the claimant.

3           **\*–0403/2.2\* SECTION 1370.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

4       71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides  
5       in an empowerment zone, or an enterprise community, that the U.S. government  
6       designates area designated by the federal government as an economic revitalization  
7       area, a person who is employed in an unsubsidized job but meets the eligibility  
8       requirements under s. 49.145 (2) and (3) for a Wisconsin works Works employment  
9       position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a  
10      person who is eligible for child care assistance under s. 49.155, a person who is a  
11      vocational rehabilitation referral, an economically disadvantaged youth, an  
12      economically disadvantaged veteran, a supplemental security income recipient, a  
13      general assistance recipient, an economically disadvantaged ex-convict, a qualified  
14      summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as  
15      defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified  
16      in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub.  
17      (1dj) (am) 2.

18           **\*–0402/5.6\* SECTION 1371.** 71.28 (1dx) (b) (intro.) of the statutes is amended  
19      to read:

20       71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and  
21       in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person  
22       is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3),  
23       560.797 (4) or 560.798 (3), any person may claim as a credit against the taxes imposed  
24       on the person's income from the person's business activities in a development zone  
25       otherwise due under this chapter the following amounts:

1           **\*-1656/3.39\* SECTION 1376.** 71.28 (2m) (a) 1. b. of the statutes is amended to  
2 read:

3           71.28 (2m) (a) 1. b. For partnerships, except publicly traded partnerships  
4 treated as corporations under s. 71.22 (1) (1k), or limited liability companies, except  
5 limited liability companies treated as corporations under s. 71.22 (1) (1k), “claimant”  
6 means each individual partner or member.

7           **\*-1245/2.7\* SECTION 1377.** 71.28 (3n) (title) of the statutes is amended to read:

8           71.28 (3n) (title) DAIRY AND LIVESTOCK FARM INVESTMENT CREDIT.

9           **\*b0348/1.4\* SECTION 1381b.** 71.28 (3n) (a) 2. (intro.) of the statutes is amended  
10 to read:

11           71.28 (3n) (a) 2. (intro.) “Dairy farm modernization or expansion” means the  
12 construction, the improvement, or the acquisition of buildings or facilities, or  
13 acquiring equipment, for dairy animal housing, confinement, animal feeding, milk  
14 production, or waste management, including the following, if used exclusively  
15 related to dairy animals and if acquired and placed in service in this state during  
16 taxable years that begin after December 31, 2003, and before January 1, 2010:

17           **\*b0348/1.4\* SECTION 1381c.** 71.28 (3n) (a) 4. of the statutes is created to read:

18           71.28 (3n) (a) 4. “Livestock” means cattle, not including dairy animals; swine;  
19 poultry, not including farm-raised game birds or ratites; fish that are raised in  
20 aquaculture facilities; sheep; and goats.

21           **\*b0348/1.4\* SECTION 1381d.** 71.28 (3n) (a) 5. of the statutes is created to read:

22           71.28 (3n) (a) 5. “Livestock farm modernization or expansion” means the  
23 construction, the improvement, or the acquisition of buildings or facilities, or the  
24 acquisition of equipment, for livestock housing, confinement, feeding, or waste  
25 management, including the following, if used exclusively related to livestock and if

- 1       acquired and placed in service in this state during taxable years that begin after  
2 December 31, 2005, and before January 1, 2012:
- 3           a. Birthing structures.  
4           b. Rearing structures.  
5           c. Feedlot structures.  
6           d. Feed storage and handling equipment.  
7           e. Fences.  
8           f. Watering facilities.  
9           g. Scales.  
10          h. Manure pumping and storage facilities.  
11          i. Digesters.  
12          j. Equipment used to produce energy.  
13          k. Fish hatchery buildings.

14       **L. Fish processing buildings.**

- 15       m. Fish rearing ponds.

16       **\*b0348/1.4\* SECTION 1381e.** 71.28 (3n) (a) 6. of the statutes is created to read:

17       71.28 (3n) (a) 6. a. For taxable years that begin after December 31, 2003, and  
18 before January 1, 2006, “used exclusively,” related to dairy animals, means used to  
19 the exclusion of all other uses except for use not exceeding 5 percent of total use.

20       b. For taxable years that begin after December 31, 2005, and before January  
21 1, 2010, “used exclusively,” related to livestock, dairy animals, or both, means used  
22 to the exclusion of all other uses except for use not exceeding 5 percent of total use.

23       c. For taxable years that begin after December 31, 2009, and before January  
24 1, 2012, “used exclusively,” related to livestock, means used to the exclusion of all  
25 other uses except for use not exceeding 5 percent of total use.

1           **\*b0348/1.4\* SECTION 1382b.** 71.28 (3n) (b) of the statutes is renumbered 71.28  
2 (3n) (b) 1.

3           **\*b0348/1.4\* SECTION 1382c.** 71.28 (3n) (b) 2. of the statutes is created to read:  
4           71.28 (3n) (b) 2. Subject to the limitations provided in this subsection, for  
5 taxable years that begin after December 31, 2005, and before January 1, 2012, a  
6 claimant may claim as a credit against the tax imposed under s. 71.23 an amount  
7 equal to 10 percent of the amount the claimant paid in the taxable year for livestock  
8 farm modernization or expansion related to the operation of the claimant's livestock  
9 farm.

10          **\*b0348/1.4\* SECTION 1382d.** 71.28 (3n) (e) of the statutes is renumbered 71.28  
11 (3n) (e) 1. and amended to read:

12          71.28 (3n) (e) 1. Partnerships, limited liability companies, and tax-option  
13 corporations may not claim the credit under this subsection, but the eligibility for,  
14 and the amount of, the credit are based on their payment of expenses under par. (b),  
15 except that the aggregate amount of credits that the entity may compute shall not  
16 exceed \$50,000. A partnership, limited liability company, or tax-option corporation  
17 shall compute the amount of credit that each of its partners, members, or  
18 shareholders may claim and shall provide that information to each of them.  
19 Partners, members of limited liability companies, and shareholders of tax-option  
20 corporations may claim the credit in proportion to their ownership interest.

21          **\*b0348/1.4\* SECTION 1382e.** 71.28 (3n) (e) 2. of the statutes is created to read:

22          71.28 (3n) (e) 2. If 2 or more persons own and operate the dairy or livestock  
23 farm, each person may claim a credit under par. (b) in proportion to his or her  
24 ownership interest, except that the aggregate amount of the credits claimed by all  
25 persons who own and operate the farm shall not exceed \$50,000.

1           **\*-1656/3.40\* SECTION 1383.** 71.28 (4) (a) of the statutes is amended to read:

2           71.28 (4) (a) *Credit.* Any corporation may credit against taxes otherwise due  
3 under this chapter an amount equal to 5% of the amount obtained by subtracting  
4 from the corporation's qualified research expenses, as defined in section 41 of the  
5 internal revenue code, except that "qualified research expenses" includes only  
6 expenses incurred by the claimant, incurred for research conducted in this state for  
7 the taxable year, except that a taxpayer may elect the alternative computation under  
8 section 41 (c) (4) of the Internal Revenue Code and that election applies until the  
9 department permits its revocation and except that "qualified research expenses"  
10 does not include compensation used in computing the credit under subs. (1dj) and  
11 (1dx), the corporation's base amount, as defined in section 41 (c) of the internal  
12 revenue code, except that gross receipts used in calculating the base amount means  
13 gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2. and,  
14 (d), (df), and (dh). Section 41 (h) of the internal revenue code does not apply to the  
15 credit under this paragraph.

16           **\*-1656/3.41\* SECTION 1384.** 71.28 (4) (am) 1. of the statutes is amended to  
17 read:

18           71.28 (4) (am) 1. In addition to the credit under par. (a), any corporation may  
19 credit against taxes otherwise due under this chapter an amount equal to 5% of the  
20 amount obtained by subtracting from the corporation's qualified research expenses,  
21 as defined in section 41 of the internal revenue code, except that "qualified research  
22 expenses" include only expenses incurred by the claimant in a development zone  
23 under subch. VI of ch. 560, except that a taxpayer may elect the alternative  
24 computation under section 41 (c) (4) of the Internal Revenue Code and that election  
25 applies until the department permits its revocation and except that "qualified

1 research expenses” do not include compensation used in computing the credit under  
2 sub. (1dj) nor research expenses incurred before the claimant is certified for tax  
3 benefits under s. 560.765 (3), the corporation’s base amount, as defined in section 41  
4 (c) of the internal revenue code, in a development zone, except that gross receipts  
5 used in calculating the base amount means gross receipts from sales attributable to  
6 Wisconsin under s. 71.25 (9) (b) 1. and 2. and, (d), (df), and (dh) and research expenses  
7 used in calculating the base amount include research expenses incurred before the  
8 claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if  
9 the claimant submits with the claimant’s return a copy of the claimant’s certification  
10 for tax benefits under s. 560.765 (3) and a statement from the department of  
11 commerce verifying the claimant’s qualified research expenses for research  
12 conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to  
13 the credit under this subdivision. The rules under sub. (1di) (f) and (g) as they apply  
14 to the credit under that subsection apply to claims under this subdivision. Section  
15 41(h) of the internal revenue code does not apply to the credit under this subdivision.

16 **\*-1656/3.42\* SECTION 1385.** 71.28 (4) (i) of the statutes is amended to read:

17       **71.28 (4) (i) *Nonclaimants.*** The credits under this subsection may not be  
18 claimed by a partnership, except a publicly traded partnership treated as a  
19 corporation under s. 71.22 (1) (1k), limited liability company, except a limited  
20 liability company treated as a corporation under s. 71.22 (1) (1k), or tax-option  
21 corporation or by partners, including partners of a publicly traded partnership,  
22 members of a limited liability company or shareholders of a tax-option corporation.

23       **\*b0362/P3.5\* SECTION 1385h.** 71.28 (5g) of the statutes is created to read:

**71.28 (5g) HEALTH INSURANCE RISK-SHARING PLAN ASSESSMENTS CREDIT.** (a)

*Definitions.* In this subsection, “claimant” means an insurer, as defined in s. 149.10 (5), who files a claim under this subsection.

(b) *Filing claims.* Subject to the limitations provided under this subsection, for taxable years beginning after December 31, 2005, a claimant may claim as a credit against the taxes imposed under s. 71.23 an amount that is equal to a percentage of the amount of assessment under s. 149.13 that the claimant paid in the taxable year, as determined under par. (c) 1.

(c) *Limitations.* 1. The department of revenue, in consultation with the office of the commissioner of insurance, shall determine the percentage under par. (b) for each claimant for each taxable year so that the cost of the credit under this subsection and ss. 71.07 (5g), 71.47 (5g), and 76.655 is as close as practicable to \$2,000,000 in the 2006–07 fiscal year and \$5,000,000 in each fiscal year thereafter.

2. Partnerships, limited liability companies, and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts described under par. (b). A partnership, limited liability company, or tax-option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax-option corporations may claim the credit in proportion to their ownership interests.

(d) *Administration.* Subsection (4) (e) to (h), as it applies to the credit under sub. (4), applies to the credit under this subsection.

**\*b0362/P3.5\* SECTION 1385p.** 71.30 (3) (dm) of the statutes is created to read:

1           71.30 (3) (dm) Health insurance risk-sharing plan assessments credit under  
2 s. 71.28 (5g).

3           **\*-0341/3.1\* SECTION 1386.** 71.30 (11) of the statutes is created to read:

4           71.30 (11) VETERANS TRUST FUND. (a) *Definitions.* In this subsection, “veterans  
5 trust fund” means the fund under s. 25.36.

6           (b) *Voluntary payments.* 1. ‘Designation on return.’ A corporation filing an  
7 income or franchise tax return may designate on the return any amount of additional  
8 payment or any amount of a refund that is due the corporation as a donation to the  
9 veterans trust fund to be used for veterans programs under s. 25.36 (1).

10           2. ‘Designation added to tax owed.’ If the corporation owes any tax, the  
11 corporation shall remit in full the tax due and the amount designated on the return  
12 as a donation to the veterans trust fund when the corporation files a tax return.

13           3. ‘Designation deducted from refund.’ Except as provided under par. (d), and  
14 subject to ss. 71.75 (9) and 71.80 (3), if the corporation is owed a refund, the  
15 department shall deduct the amount designated on the return as a donation to the  
16 veterans trust fund from the amount of the refund.

17           (c) *Errors; failure to remit correct amount.* 1. ‘Reduced designation.’ If a  
18 corporation remits an amount that exceeds the tax due, after error corrections, but  
19 that is less than the total of the tax due, after error corrections, and the amount  
20 designated by the corporation on the return as a donation to the veterans trust fund,  
21 the department shall reduce the designation to reflect the amount remitted that  
22 exceeds the tax due, after error corrections.

23           2. ‘Void designation.’ The designation for a donation to the veterans trust fund  
24 is void if the corporation remits an amount equal to or less than the tax due, after  
25 error corrections.

1           (d) *Errors; insufficient refund.* If a corporation is owed a refund that is less than  
2 the amount designated on the return as a donation to the veterans trust fund, after  
3 attachment and crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections,  
4 the department shall reduce the designation to reflect the actual amount of the  
5 refund the corporation is otherwise owed.

6           (e) *Conditions.* If a corporation places any conditions on a designation for a  
7 donation to the veterans trust fund, the designation is void.

8           (f) *Void designation.* If a designation for a donation to the veterans trust fund  
9 is void, the department shall disregard the designation and determine the amounts  
10 due, owed, refunded, and received.

11          (g) *Tax return.* The secretary of revenue shall provide a place for the  
12 designations under this subsection on the corporate income and franchise tax  
13 returns and the secretary shall highlight that place on the returns by a symbol  
14 chosen by the department of veterans affairs that relates to veterans.

15          (h) *Certification of amounts.* Annually, on or before September 15, the  
16 secretary of revenue shall certify to the department of veterans affairs and the  
17 department of administration:

18           1. The total amount of the administrative costs, including data processing  
19 costs, incurred by the department of revenue in administering this subsection during  
20 the previous fiscal year.

21           2. The total amount received from all designations to the veterans trust fund  
22 under this subsection made by corporations during the previous fiscal year.

23           3. The net amount remaining after the administrative costs under subd. 1. are  
24 subtracted from the total received under subd. 2.

1                   (i) *Appropriations.* From the moneys received from designations to the  
2 veterans trust fund under this subsection, an amount equal to the sum of  
3 administrative expenses certified under par. (h) 1. shall be deposited into the general  
4 fund and credited to the appropriation under s. 20.566 (1) (hp), and the net amount  
5 remaining certified under par. (h) 3. shall be deposited into the veterans trust fund  
6 and used for the veterans programs under s. 25.36 (1).

7                   (j) *Refunds.* An amount designated as a donation to the veterans trust fund  
8 under this subsection is not subject to refund to a corporation that designates the  
9 donation unless the corporation submits information to the satisfaction of the  
10 department within 18 months from the date that taxes are due from the corporation  
11 or from the date that the corporation filed the return, whichever is later, that the  
12 amount designated is clearly in error. A refund granted by the department under  
13 this paragraph shall be deducted from the moneys received under this subsection in  
14 the fiscal year that the refund is certified under 71.75 (7).

15                 **\*b0362/P3.6\* SECTION 1386m.** 71.34 (1) (g) of the statutes is amended to read:

16                 71.34 (1) (g) An addition shall be made for credits computed by a tax-option  
17 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (3), (3g),  
18 (3n), (3t), and (5b), and (5g) and passed through to shareholders.

19                 **\*-0302/4.45\* SECTION 1387.** 71.34 (1g) (j) of the statutes is repealed.

20                 **\*-0302/4.46\* SECTION 1388.** 71.34 (1g) (k) of the statutes is repealed.

21                 **\*-0302/4.47\* SECTION 1389.** 71.34 (1g) (L) of the statutes is amended to read:

22                 71.34 (1g) (L) “Internal Revenue Code” for tax-option corporations, for taxable  
23 years that begin after December 31, 1996, and before January 1, 1998, means the  
24 federal Internal Revenue Code as amended to December 31, 1996, excluding  
25 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),

1       13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
2       1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,  
3       P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L.  
4       106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
5       107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
6       108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
7       307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
8       201, 244, 336, 337, 909, and 910 of P.L. 108-357, and as indirectly affected in the  
9       provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647  
10      excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)  
11      of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
12      101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and  
13      110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
14      13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
15      103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202  
16      (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.  
17      105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,  
18      excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
19      of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
20      107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.  
21      108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.  
22      108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,  
23      except that section 1366 (f) (relating to pass-through of items to shareholders) is  
24      modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and  
25      1375. The Internal Revenue Code applies for Wisconsin purposes at the same time

1 as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
2 after December 31, 1996, do not apply to this paragraph with respect to taxable years  
3 beginning after December 31, 1996, and before January 1, 1998, except that  
4 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.  
5 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
6 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
7 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
8 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
9 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
10 201, 244, 336, 337, 909, and 910 of P.L. 108-357, and changes that indirectly affect  
11 the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.  
12 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of  
13 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.  
14 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, P.L.  
15 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, excluding sections 306,  
16 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101,  
17 201, 244, 336, 337, 909, and 910 of P.L. 108-357, apply for Wisconsin purposes at the  
18 same time as for federal purposes.

19 \*-0302/4.48\* **SECTION 1390.** 71.34 (1g) (m) of the statutes is amended to read:

20 71.34 (1g) (m) “Internal Revenue Code” for tax-option corporations, for taxable  
21 years that begin after December 31, 1997, and before January 1, 1999, means the  
22 federal Internal Revenue Code as amended to December 31, 1997, excluding sections  
23 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
24 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
25 of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.

1       106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
2       P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147,  
3       excluding sections 101 and 406 of P.L. 107–147, P.L. and 107–181, P.L. 108–121,  
4       excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308,  
5       401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244,  
6       336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in the provisions  
7       applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding  
8       sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514  
9       and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
10      101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
11      102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
12      (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
13      103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
14      1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
15      105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
16      106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding  
17      section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
18      406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L.  
19      108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
20      108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
21      of P.L. 108–357, except that section 1366 (f) (relating to pass-through of items to  
22      shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
23      sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
24      at the same time as for federal purposes. Amendments to the federal Internal  
25      Revenue Code enacted after December 31, 1997, do not apply to this paragraph with

1 respect to taxable years beginning after December 31, 1997, and before  
2 January 1, 1999, except that changes to the Internal Revenue Code made by P.L.  
3 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
4 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431  
5 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
6 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
7 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
8 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
9 and changes that indirectly affect the provisions applicable to this subchapter made  
10 by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554,  
11 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431  
12 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
13 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
14 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
15 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
16 apply for Wisconsin purposes at the same time as for federal purposes.

17 \*–0302/4.49\* **SECTION 1391.** 71.34 (1g) (n) of the statutes is amended to read:

18 71.34 (1g) (n) “Internal Revenue Code” for tax-option corporations, for taxable  
19 years that begin after December 31, 1998, and before January 1, 2000; means the  
20 federal Internal Revenue Code as amended to December 31, 1998, excluding sections  
21 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
22 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
23 of P.L. 104–188, and as amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
24 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding  
25 section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and

1       406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section  
2       109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a)  
3       of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
4       and 910 of P.L. 108–357, and as indirectly affected in the provisions applicable to this  
5       subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2)  
6       (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008  
7       (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
8       101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
9       102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
10      13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
11      104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
12      (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
13      105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
14      106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding  
15      section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
16      406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section  
17      109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a)  
18      of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
19      and 910 of P.L. 108–357, except that section 1366 (f) (relating to pass-through of  
20      items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes  
21      under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin  
22      purposes at the same time as for federal purposes. Amendments to the federal  
23      Internal Revenue Code enacted after December 31, 1998, do not apply to this  
24      paragraph with respect to taxable years beginning after December 31, 1998, and  
25      before January 1, 2000, except that changes to the Internal Revenue Code made by

1 P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and  
2 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134,  
3 P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.  
4 P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311,  
5 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
6 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and changes  
7 that indirectly affect the provisions applicable to this subchapter made by P.L.  
8 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
9 P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
10 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, and P.L.  
11 P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311,  
12 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
13 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for  
14 Wisconsin purposes at the same time as for federal purposes.

15 \*-0302/4.50\* **SECTION 1392.** 71.34 (1g) (o) of the statutes is amended to read:

16 71.34 (1g) (o) “Internal Revenue Code” for tax-option corporations, for taxable  
17 years that begin after December 31, 1999, and before January 1, 2003, means the  
18 federal Internal Revenue Code as amended to December 31, 1999, excluding sections  
19 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and  
20 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)  
21 of P.L. 104–188, and as amended by P.L. 106–230, P.L. 106–554, excluding sections  
22 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
23 107–16, P.L. 107.22, P.L. 107.116, P.L. 107–134, P.L. 107–147, excluding sections 101  
24 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358,  
25 P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121,

1       excluding section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections  
2       306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections  
3       101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected in  
4       the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.  
5       100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823  
6       (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.  
7       101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections  
8       103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding  
9       sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.  
10      103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections  
11      1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
12      104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
13      106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
14      P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
15      107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of  
16      P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L.  
17      108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding  
18      section 109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,  
19      308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201,  
20      244, 336, 337, 909, and 910 of P.L. 108–357, except that section 1366 (f) (relating to  
21      pass-through of items to shareholders) is modified by substituting the tax under s.  
22      71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies  
23      for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
24      federal Internal Revenue Code enacted after December 31, 1999, do not apply to this  
25      paragraph with respect to taxable years beginning after December 31, 1999, and

1 before January 1, 2003, except that changes to the Internal Revenue Code made by  
2 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.  
3 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116,  
4 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L.  
5 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding  
6 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.  
7 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403  
8 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909,  
9 and 910 of P.L. 108-357, and changes that indirectly affect the provisions applicable  
10 to this subchapter made by P.L. 106-230, P.L. 106-554, excluding sections 162 and  
11 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16,  
12 P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
13 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.  
14 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding  
15 section 109 of P.L. 108-121, P.L. 108-218, P.L. 108-311, excluding sections 306, 307,  
16 308, 401, and 403 (a) of P.L. 108-311, and P.L. 108-357, excluding sections 101, 201,  
17 244, 336, 337, 909, and 910 of P.L. 108-357, apply for Wisconsin purposes at the same  
18 time as for federal purposes.

19 \*-0302/4.51\* **SECTION 1393.** 71.34 (1g) (p) of the statutes is amended to read:

20 71.34 (1g) (p) "Internal Revenue Code" for tax-option corporations, for taxable  
21 years that begin after December 31, 2002, and before January 1, 2004, means the  
22 federal Internal Revenue Code as amended to December 31, 2002, excluding sections  
23 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
24 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
25 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section

1       431 of P.L. 107–16, and section 101 of P.L. 107–147, and as amended by P.L. 108–27,  
2       excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section  
3       109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
4       108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
5       (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
6       910 of P.L. 108–357, and P.L. 108–375, and as indirectly affected in the provisions  
7       applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding  
8       sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514  
9       and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
10      101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
11      102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
12      (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
13      103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
14      1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
15      105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
16      106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,  
17      P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
18      107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.  
19      107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201,  
20      and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
21      108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L.  
22      108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.  
23      108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
24      and P.L. 108–375, except that section 1366 (f) (relating to pass-through of items to  
25      shareholders) is modified by substituting the tax under s. 71.35 for the taxes under

1 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
2 at the same time as for federal purposes. Amendments to the federal Internal  
3 Revenue Code enacted after December 31, 2002, do not apply to this paragraph with  
4 respect to taxable years beginning after December 31, 2002, and before January 1,  
5 2004, except that changes to the Internal Revenue Code made by P.L. 108-27,  
6 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section  
7 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.  
8 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306, 307, 308, 401, and 403  
9 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 201, 244, 336, 337, 909, and  
10 910 of P.L. 108-357, and P.L. 108-375, and changes that indirectly affect the  
11 provisions applicable to this subchapter made by P.L. 108-27, excluding sections  
12 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121,  
13 P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218,  
14 P.L. 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, P.L.  
15 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,  
16 and P.L. 108-375, apply for Wisconsin purposes at the same time as for federal  
17 purposes.

18       **\*-0302/4.52\* SECTION 1394.** 71.34 (1g) (q) of the statutes is created to read:

19       71.34 (1g) (q) “Internal Revenue Code” for tax-option corporations, for taxable  
20 years that begin after December 31, 2003, and before January 1, 2005, means the  
21 federal Internal Revenue Code as amended to December 31, 2003, excluding sections  
22 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
23 13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
24 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section  
25 431 of P.L. 107-16, section 101 of P.L. 107-147, sections 106, 201, and 202 of P.L.

1       108–27, section 109 of P.L. 108–121, and section 1201 of P.L. 108–173, and as  
2       amended by P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307,  
3       308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244,  
4       336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as  
5       indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
6       100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
7       (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.  
8       101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
9       excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
10      103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11      103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
12      excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
13      104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
14      105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
15      162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
16      107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
17      of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
18      excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section  
19      109 of P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
20      108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
21      (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
22      910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, except that section 1366 (f)  
23      (relating to pass-through of items to shareholders) is modified by substituting the  
24      tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue  
25      Code applies for Wisconsin purposes at the same time as for federal purposes.

1 Amendments to the federal Internal Revenue Code enacted after December 31, 2003,  
2 do not apply to this paragraph with respect to taxable years beginning after  
3 December 31, 2003, and before January 1, 2005, except that changes to the Internal  
4 Revenue Code made by P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections  
5 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101,  
6 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and  
7 changes that indirectly affect the provisions applicable to this subchapter made by  
8 P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
9 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
10 and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, apply for Wisconsin  
11 purposes at the same time as for federal purposes.

12           **\*–0302/4.53\* SECTION 1395.** 71.34 (1g) (r) of the statutes is created to read:

13           71.34 (1g) (r) “Internal Revenue Code” for tax-option corporations, for taxable  
14 years that begin after December 31, 2004, means the federal Internal Revenue Code  
15 as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.  
16 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
17 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
18 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
19 431 of P.L. 107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L.  
20 108–27, section 1201 of P.L. 108–173, sections 306, 308, 401, and 403 (a) of P.L.  
21 108–311, and sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as  
22 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
23 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
24 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.  
25 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,

1       excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
2       103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
3       103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
4       excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
5       104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
6       105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
7       162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
8       107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding section 101  
9       of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
10      excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
11      excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
12      excluding sections 306, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding  
13      sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L.  
14      108–476, except that section 1366 (f) (relating to pass-through of items to  
15      shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
16      sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
17      at the same time as for federal purposes. Amendments to the federal Internal  
18      Revenue Code enacted after December 31, 2004, do not apply to this paragraph with  
19      respect to taxable years beginning after December 31, 2004.

20           **\*–0302/4.54\* SECTION 1396.** 71.42 (2) (i) of the statutes is repealed.

21           **\*–0302/4.55\* SECTION 1397.** 71.42 (2) (j) of the statutes is repealed.

22           **\*–0302/4.56\* SECTION 1398.** 71.42 (2) (k) of the statutes is amended to read:

23           71.42 (2) (k) For taxable years that begin after December 31, 1996, and before  
24      January 1, 1998, “Internal Revenue Code” means the federal Internal Revenue Code  
25      as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.

1       102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
2       and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
3       amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
4       106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding  
5       section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and  
6       406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109 of P.L.  
7       108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
8       108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
9       of P.L. 108–357, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
10      P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
11      excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
12      103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
13      103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
14      excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
15      104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277, P.L.  
16      106–36, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,  
17      excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
18      101 and 406 of P.L. 107–147, and P.L. 107–181, P.L. 108–121, excluding section 109  
19      of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of  
20      P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and  
21      910 of P.L. 108–357, except that “Internal Revenue Code” does not include section  
22      847 of the federal Internal Revenue Code. The Internal Revenue Code applies for  
23      Wisconsin purposes at the same time as for federal purposes. Amendments to the  
24      federal Internal Revenue Code enacted after December 31, 1996, do not apply to this  
25      paragraph with respect to taxable years beginning after December 31, 1996, and

1 before January 1, 1998, except that changes to the Internal Revenue Code made by  
2 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,  
3 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
4 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
5 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.  
6 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.  
7 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,  
8 and changes that indirectly affect the provisions applicable to this subchapter made  
9 by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,  
10 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431  
11 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.  
12 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.  
13 108-311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108-311, and P.L.  
14 108-357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108-357,  
15 apply for Wisconsin purposes at the same time as for federal purposes.

16       **\*-0302/4.57\* SECTION 1399.** 71.42 (2) (L) of the statutes is amended to read:

17       71.42 (2) (L) For taxable years that begin after December 31, 1997, and before  
18 January 1, 1999, "Internal Revenue Code" means the federal Internal Revenue Code  
19 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.  
20 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66  
21 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as  
22 amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170,  
23 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding  
24 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and  
25 406 of P.L. 107-147, and P.L. 107-181, P.L. 108-121, excluding section 109 of P.L.

1       108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
2       108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910  
3       of P.L. 108–357, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647,  
4       P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
5       excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
6       103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
7       103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
8       excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
9       104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
10      105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of  
11      P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
12      107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.  
13      108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
14      307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
15      201, 244, 336, 337, 909, and 910 of P.L. 108–357, except that “Internal Revenue Code”  
16      does not include section 847 of the federal Internal Revenue Code. The Internal  
17      Revenue Code applies for Wisconsin purposes at the same time as for federal  
18      purposes. Amendments to the federal Internal Revenue Code enacted after  
19      December 31, 1997, do not apply to this paragraph with respect to taxable years  
20      beginning after December 31, 1997, and before January 1, 1999, except that  
21      changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206, P.L.  
22      105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of  
23      P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
24      107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.  
25      108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,

1       307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
2       201, 244, 336, 337, 909, and 910 of P.L. 108–357, and changes that indirectly affect  
3       the provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L.  
4       105–277, P.L. 106–36, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of  
5       P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–134, P.L.  
6       107–147, excluding sections 101 and 406 of P.L. 107–147, and P.L. 107–181, P.L.  
7       108–121, excluding section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306,  
8       307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101,  
9       201, 244, 336, 337, 909, and 910 of P.L. 108–357, apply for Wisconsin purposes at the  
10      same time as for federal purposes.

11           **\*–0302/4.58\* SECTION 1400.** 71.42 (2) (m) of the statutes is amended to read:

12           71.42 (2) (m) For taxable years that begin after December 31, 1998, and before  
13      January 1, 2000, “Internal Revenue Code” means the federal Internal Revenue Code  
14      as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.  
15      102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
16      and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
17      amended by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding  
18      sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L.  
19      107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147,  
20      P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121,  
21      P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and  
22      P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L.  
23      108–357, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
24      101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
25      excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.

1       103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2       103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
3       excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
4       104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
5       105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
6       162 and 165 of P.L. 106–554, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
7       107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181,  
8       and P.L. 107–276, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–311,  
9       excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L. 108–357,  
10      excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, except that  
11      “Internal Revenue Code” does not include section 847 of the federal Internal Revenue  
12      Code. The Internal Revenue Code applies for Wisconsin purposes at the same time  
13      as for federal purposes. Amendments to the federal Internal Revenue Code enacted  
14      after December 31, 1998, do not apply to this paragraph with respect to taxable years  
15      beginning after December 31, 1998, and before January 1, 2000, except that  
16      changes to the Internal Revenue Code made by P.L. 106–36, P.L. 106–170, P.L.  
17      106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16,  
18      excluding section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections  
19      101 and 406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding  
20      section 109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
21      403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337,  
22      909, and 910 of P.L. 108–357, and changes that indirectly affect the provisions  
23      applicable to this subchapter made by P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
24      106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–16, excluding  
25      section 431 of P.L. 107–16, P.L. 107–134, P.L. 107–147, excluding sections 101 and

1       406 of P.L. 107–147, P.L. 107–181, and P.L. 107–276, P.L. 108–121, excluding section  
2       109 of P.L. 108–121, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a)  
3       of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
4       and 910 of P.L. 108–357, apply for Wisconsin purposes at the same time as for federal  
5       purposes.

6           \***–0302/4.59\* SECTION 1401.** 71.42 (2) (n) of the statutes is amended to read:

7       71.42 (2) (n) For taxable years that begin after December 31, 1999, and before  
8       January 1, 2003, “Internal Revenue Code” means the federal Internal Revenue Code  
9       as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.  
10      102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66  
11      and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as  
12      amended by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L.  
13      106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22,  
14      P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L.  
15      107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27,  
16      excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section  
17      109 of P.L. 108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308,  
18      401, and 403 (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244,  
19      336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected by P.L. 99–514, P.L.  
20      100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
21      101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
22      102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),  
23      13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
24      104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
25      (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.

1       105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
2       106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
3       excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
4       107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,  
5       P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202  
6       of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L.  
7       108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
8       108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
9       except that “Internal Revenue Code” does not include section 847 of the federal  
10      Internal Revenue Code. The Internal Revenue Code applies for Wisconsin purposes  
11      at the same time as for federal purposes. Amendments to the federal Internal  
12      Revenue Code enacted after December 31, 1999, do not apply to this paragraph with  
13      respect to taxable years beginning after December 31, 1999, and before January 1,  
14      2003, except that changes to the Internal Revenue Code made by P.L. 106–230, P.L.  
15      106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
16      excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
17      107–147, excluding sections 101 and 406 of P.L. 107–147, P.L. 107–181, P.L. 107–210,  
18      P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202  
19      of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–218, P.L.  
20      108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, and P.L.  
21      108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
22      and changes that indirectly affect the provisions applicable to this subchapter made  
23      by P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L.  
24      107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116,  
25      P.L. 107–134, P.L. 107–147, excluding sections 101 and 406 of P.L. 107–147, P.L.

1       107–181, P.L. 107–210, P.L. 107–276, and P.L. 107–358, P.L. 108–27, excluding  
2       sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L.  
3       108–121, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403  
4       (a) of P.L. 108–311, and P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
5       and 910 of P.L. 108–357, apply for Wisconsin purposes at the same time as for federal  
6       purposes.

7               **\*–0302/4.60\* SECTION 1402.** 71.42 (2) (o) of the statutes is amended to read:

8       71.42 (2) (o) For taxable years that begin after December 31, 2002, and before  
9       January 1, 2004, “Internal Revenue Code” means the federal Internal Revenue Code  
10      as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.  
11      102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
12      sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,  
13      sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, and  
14      section 101 of P.L. 107–147, and as amended by P.L. 108–27, excluding sections 106,  
15      201, and 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L.  
16      108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L.  
17      108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L.  
18      108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357,  
19      and P.L. 108–375, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.  
20      100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.  
21      102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
22      102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
23      13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.  
24      104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
25      104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.

1       105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
2 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
3 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
4 excluding section 101 of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, and  
5 P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
6 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section 1201  
7 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,  
8 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201,  
9 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, except that “Internal  
10 Revenue Code” does not include section 847 of the federal Internal Revenue Code.  
11 The Internal Revenue Code applies for Wisconsin purposes at the same time as for  
12 federal purposes. Amendments to the federal Internal Revenue Code enacted after  
13 December 31, 2002, do not apply to this paragraph with respect to taxable years  
14 beginning after December 31, 2002, and before January 1, 2004, except that changes  
15 to the Internal Revenue Code made by P.L. 108–27, excluding sections 106, 201, and  
16 202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,  
17 excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
18 excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
19 excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L.  
20 108–375, and changes that indirectly affect the provisions applicable to this  
21 subchapter made by P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27,  
22 P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173, excluding section  
23 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections  
24 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101,

1       201, 244, 336, 337, 909, and 910 of P.L. 108–357, and P.L. 108–375, apply for  
2       Wisconsin purposes at the same time as for federal purposes.

3           **\*–0302/4.61\* SECTION 1403.** 71.42 (2) (p) of the statutes is created to read:

4       71.42 (2) (p) For taxable years that begin after December 31, 2003, and before  
5       January 1, 2005, “Internal Revenue Code” means the federal Internal Revenue Code  
6       as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.  
7       102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
8       sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 106–519,  
9       sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, section  
10      101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 109 of P.L.  
11      108–121, and section 1201 of P.L. 108–173, and as amended by P.L. 108–203, P.L.  
12      108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and 403 (a) of P.L.  
13      108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909, and 910 of  
14      P.L. 108–357, P.L. 108–375, and P.L. 108–476, and as indirectly affected by P.L.  
15      99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.  
16      101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
17      102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
18      (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
19      103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
20      1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
21      105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
22      106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,  
23      P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
24      107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.  
25      107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and

1       202 of P.L. 108–27, P.L. 108–121, excluding section 109 of P.L. 108–121, P.L. 108–173,  
2       excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
3       excluding sections 306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
4       excluding sections 101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L.  
5       108–375, and P.L. 108–476, except that “Internal Revenue Code” does not include  
6       section 847 of the federal Internal Revenue Code. The Internal Revenue Code  
7       applies for Wisconsin purposes at the same time as for federal purposes.  
8       Amendments to the federal Internal Revenue Code enacted after December 31, 2003,  
9       do not apply to this paragraph with respect to taxable years beginning after  
10      December 31, 2003, and before January 1, 2005, except that changes to the Internal  
11      Revenue Code made by P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections  
12      306, 307, 308, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101,  
13      201, 244, 336, 337, 909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, and  
14      changes that indirectly affect the provisions applicable to this subchapter made by  
15      P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 307, 308, 401, and  
16      403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337, 909,  
17      and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, apply for Wisconsin  
18      purposes at the same time as for federal purposes.

19       **\*–0302/4.62\* SECTION 1404.** 71.42 (2) (q) of the statutes is created to read:

20       71.42 (2) (q) For taxable years that begin after December 31, 2004, “Internal  
21      Revenue Code” means the federal Internal Revenue Code as amended to  
22      December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
23      13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
24      1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
25      106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L.

1       107–16, section 101 of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section  
2       1201 of P.L. 108–173, sections 306, 308, 401, and 403 (a) of P.L. 108–311, and sections  
3       101, 201, 244, 336, 337, 909, and 910 of P.L. 108–357, and as indirectly affected by  
4       P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,  
5       P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
6       102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
7       (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
8       103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
9       1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
10      105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
11      106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15,  
12      P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
13      107–134, P.L. 107–147, excluding section 101 of P.L. 107–147, P.L. 107–181, P.L.  
14      107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and  
15      202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
16      108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 401,  
17      and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 201, 244, 336, 337,  
18      909, and 910 of P.L. 108–357, P.L. 108–375, and P.L. 108–476, except that “Internal  
19      Revenue Code” does not include section 847 of the federal Internal Revenue Code.  
20      The Internal Revenue Code applies for Wisconsin purposes at the same time as for  
21      federal purposes. Amendments to the federal Internal Revenue Code enacted after  
22      December 31, 2004, do not apply to this paragraph with respect to taxable years  
23      beginning after December 31, 2004.

24      \*-1656/3.43\* **SECTION 1405.** 71.42 (3d) of the statutes is amended to read:

1           **71.42 (3d)** “Member” does not include a member of a limited liability company  
2 treated as a corporation under s. 71.22 (1) (1k).

3           **\*–1656/3.44\* SECTION 1406.** 71.42 (3h) of the statutes is amended to read:

4           **71.42 (3h)** “Partner” does not include a partner of a publicly traded partnership  
5 treated as a corporation under s. 71.22 (1) (1k).

6           **\*b0301/1.7\* SECTION 1406r.** 71.45 (1m) of the statutes is created to read:

7           **71.45 (1m) HEALTH INSURANCE RISK-SHARING PLAN.** The income of the  
8 organization administering the Health Insurance Risk-Sharing Plan under ch. 149  
9 is exempt from taxation under this subchapter.

10          **\*b0362/P3.7\* SECTION 1406m.** 71.45 (2) (a) 10. of the statutes is amended to  
11 read:

12          **71.45 (2) (a) 10.** By adding to federal taxable income the amount of credit  
13 computed under s. 71.47 (1dd) to (1dx), (3n), and (5b), and (5g) and not passed  
14 through by a partnership, limited liability company, or tax-option corporation that  
15 has added that amount to the partnership’s, limited liability company’s, or  
16 tax-option corporation’s income under s. 71.21 (4) or 71.34 (1) (g) and the amount of  
17 credit computed under s. 71.47 (1), (3), (3t), (4), and (5).

18          **\*–0402/5.7\* SECTION 1408.** 71.47 (1di) (b) 1. of the statutes is repealed.

19          **\*–0402/7.10\*SECTION 1409.** 71.47 (1dL) (c) 1. of the statutes is repealed.

20          **\*–0402/8\*SECTION 1410.** 71.47 (1dL) (c) 2. of the statutes is renumbered 71.47  
21 (1dL) (c).

22          **\*–0402/8\*SECTION 1411.** 71.47 (1dL) (d) of the statutes is amended to read:

23          **71.47 (1dL) (d)** Except as provided in par. (c) 2., the carry-over provisions of  
24 sub. (4) (e) and (f) as they relate to the credit under that subsection relate to the credit  
25 under this subsection and apply as if the development zone continued to exist.

1           **\*-0402/5.8\* SECTION 1412.** 71.47 (1dm) (hm) of the statutes is amended to  
2 read:

3           71.47 (1dm) (hm) Credits claimed A claimant may claim the credit under this  
4 subsection, including any credits carried over, may be offset only against the amount  
5 of the tax otherwise due under this subchapter attributable to income from the  
6 business operations of the claimant in the development zone; except that a claimant  
7 in a development zone under s. 560.795 (1) (e) may offset credits, including any  
8 credits carried over, against the amount of the tax otherwise due under this  
9 subchapter attributable to all of the claimant's income; and against the tax  
10 attributable to income from directly related business operations of the claimant.

11           **\*-0403/2.3\* SECTION 1413.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

12           71.47 (1dx) (a) 5. "Member of a targeted group" means a person who resides  
13 in an empowerment zone, or an enterprise community, that the U.S. government  
14 designates area designated by the federal government as an economic revitalization  
15 area, a person who is employed in an unsubsidized job but meets the eligibility  
16 requirements under s. 49.145 (2) and (3) for a Wisconsin works Works employment  
17 position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a  
18 person who is eligible for child care assistance under s. 49.155, a person who is a  
19 vocational rehabilitation referral, an economically disadvantaged youth, an  
20 economically disadvantaged veteran, a supplemental security income recipient, a  
21 general assistance recipient, an economically disadvantaged ex-convict, a qualified  
22 summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as  
23 defined in 29 USC 2801 (9), or a food stamp recipient, if the person has been certified  
24 in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub.  
25 (1dj) (am) 2.

1           **\*-0402/5.9\* SECTION 1414.** 71.47 (1dx) (b) (intro.) of the statutes is amended  
2 to read:

3           **71.47 (1dx) (b) Credit.** (intro.) Except or as provided in pars. (be) and (bg) and  
4 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person  
5 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3),  
6 560.797 (4) or 560.798 (3), any person may claim as a credit against the taxes imposed  
7 on the person's income from the person's business activities in a development zone  
8 otherwise due under this chapter the following amounts:

9           **\*-1656/3.45\* SECTION 1419.** 71.47 (2m) (a) 1. b. of the statutes is amended to  
10 read:

11           **71.47 (2m) (a) 1. b.** For partnerships, except publicly traded partnerships  
12 treated as corporations under s. 71.22 (1) (1k), or limited liability companies, except  
13 limited liability companies treated as corporations under s. 71.22 (1) (1k), “claimant”  
14 means each individual partner or member.

15           **\*-1245/2.13\* SECTION 1420.** 71.47 (3n) (title) of the statutes is amended to  
16 read:

17           **71.47 (3n) (title)** DAIRY AND LIVESTOCK FARM INVESTMENT CREDIT.

18           **\*b0348/1.6\* SECTION 1424b.** 71.47 (3n) (a) 2. (intro.) of the statutes is amended  
19 to read:

20           **71.47 (3n) (a) 2. (intro.)** “Dairy farm modernization or expansion” means the  
21 construction, the improvement, or the acquisition of buildings or facilities, or the  
22 acquisition of equipment, for dairy animal housing, confinement, animal feeding,  
23 milk production, or waste management, including the following, if used exclusively  
24 related to dairy animals and if acquired and placed in service in this state during  
25 taxable years that begin after December 31, 2003, and before January 1, 2010:

1           **\*b0348/1.6\* SECTION 1424c.** 71.47 (3n) (a) 4. of the statutes is created to read:

2           71.47 (3n) (a) 4. “Livestock” means cattle, not including dairy animals; swine;  
3           poultry, not including farm-raised game birds or ratites; fish that are raised in  
4           aquaculture facilities; sheep; and goats.

5           **\*b0348/1.6\* SECTION 1424d.** 71.47 (3n) (a) 5. of the statutes is created to read:

6           71.47 (3n) (a) 5. “Livestock farm modernization or expansion” means the  
7           construction, the improvement, or the acquisition of buildings or facilities, or the  
8           acquisition of equipment, for livestock housing, confinement, feeding, or waste  
9           management, including the following, if used exclusively related to livestock and if  
10          acquired and placed in service in this state during taxable years that begin after  
11          December 31, 2005, and before January 1, 2012:

- 12           a. Birthing structures.
- 13           b. Rearing structures.
- 14           c. Feedlot structures.
- 15           d. Feed storage and handling equipment.
- 16           e. Fences.
- 17           f. Watering facilities.
- 18           g. Scales.
- 19           h. Manure pumping and storage facilities.
- 20           i. Digesters.
- 21           j. Equipment used to produce energy.
- 22           k. Fish hatchery buildings.
- 23           L. Fish processing buildings.
- 24           m. Fish rearing ponds.

25           **\*b0348/1.6\* SECTION 1424e.** 71.47 (3n) (a) 6. of the statutes is created to read: